

# 1619

Slavery in America started in 1619, when privateer, The White Lion, brought 20 African slaves ashore in the British colony of Jamestown, Virginia. The crew had seized the Africans from the Portugese slave ship Sao Jao Bautista.

# Slavery (1500s - 1865)

Slavery in the United States existed in North America for more than a century before the founding of the United States in 1776, and continued in the South until the passage of the Thirteenth Amendment to the United States Constitution in 1865.

The majority of slaveholders were in the southern United States, where most slaves were engaged in a work-gang system of agriculture. Such large groups of slaves were thought to work more efficiently if directed by a managerial class of white males called overseers.

From the 16th to the 19th centuries, an estimated 12 million Africans were shipped as slaves to the Americas. Of these, an estimated 645,000 were brought to what is now the United States. By the 1860 United States Census, the slave population in the United States had grown to four million.

(Source: [http://en.wikipedia.org/wiki/Slavery\\_in\\_the\\_United\\_States](http://en.wikipedia.org/wiki/Slavery_in_the_United_States))

# Naturalization Act of 1790

The original **United States Naturalization Law of March 26, 1790** provided the first rules to be followed by the United States in the granting of national citizenship.

This law limited naturalization to immigrants who were "free white person[s] ... of good character". It thus excluded Native Americans, indentured servants, slaves, free blacks and later Asians, although free blacks were allowed citizenship at the state level in certain states. It also provided for citizenship for the children of U.S. citizens born abroad, stating that such children "shall be considered as natural born citizens," the only US statute ever to use the term. It specified that the right of citizenship did "not descend to persons whose fathers have never been resident in the United States."<sup>1</sup>

# Naturalization Act of 1790

<https://www.docstoc.org/documents/document/naturalization-act-of-1790>

*An Act*

A BILL to establish a uniform Rule of Naturalization, and to enable Aliens to hold Lands under certain Restrictions.

SECT. 1<sup>st</sup>. **B**E IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED. That any alien, ~~either then an alien-enemy, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of TWO YEARS, may be admitted to become a citizen thereof, on application to any common law court of record in any one of the States wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such court, that he is a person of a good character, and taking the oath or affirmation prescribed by law to support the Constitution of the United States, which oath or affirmation such court shall administer, and the clerk of such court shall record such application and the proceedings thereon; and thereupon such person shall be considered~~ *considered* ~~a~~ citizen of the United States. And the children of such person so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural born citizens.

PROVIDED, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: *And*  
PROVIDED ALSO, That no person heretofore proscribed by any State shall be admitted a citizen as aforesaid, except by an Act of the Legislature of the State in which such person was proscribed.

## 1790 cont.

African Americans are not granted citizenship until 1868, when the Fourteenth Amendment to the Constitution is ratified during Reconstruction.

Native Americans become citizens through individual treaties or intermarriage and finally, through the 1924 Indian Citizenship Act.

Asian immigrants are ineligible for citizenship until the 1954

McCarran-Walter Act removes all racial barriers to naturalization.

**Without citizenship, nonwhites could not vote, own property, bring suit, testify in court, or experience basic constitutional protections that white Americans took for granted.**

# Fugitive Slave Act of 1793

Congress passed the Fugitive Slave Act in February 1793 and this was signed into law by president, George Washington. The Fugitive Slave Clause of the U.S. Constitution (Article 4, Section 2) guaranteed the right of a slaveholder to recover an escaped slave. This law established the legal mechanism by which escaped slaves could be seized in any state, brought before a magistrate and returned to their masters, giving states the right to demand a slave be returned. This law made it a crime to assist a slave in escaping, with prison and a fine for helping a fugitive. The Act made every escaped slave a fugitive for life, who could be recaptured at any time anywhere within the territory of the United States, along with any children subsequently born of enslaved mothers.

<https://www.docsteach.org/documents/document/fugitive-slave-act-1793>

# Second Congress of the United States:

AT THE SECOND SESSION.

Began AND HELD AT THE City OF Philadelphia, IN THE State OF Pennsylvania, ON Monday THE FIFTH OF November, ONE THOUSAND SEVEN HUNDRED AND NINETY TWO.

*In. 1st respecting fugitives from justice, and persons escaping from the service of their masters.*

Be IT ENACTED BY THE Senate AND House of Representatives OF THE United States OF America IN Congress ASSEMBLED, That whenever the executive authority of any state in the union or of either of the territories shall send or send of the river Ohio shall demand any person as a fugitive from justice, if the executive authority of any such state or territory to which such person shall have fled, and shall moreover produce the copy of an indictment found, or a warrant issued, upon a complaint of any state or territory, its officers, charging the person so demanded, with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the state or territory from whence the person so charged, fled, it shall be the duty of the executive authority of the state or territory to which such person shall have fled, to cause him or her to be arrested and secured, and notice of the arrest to be given to the executive authority of the state or territory from whence the person so charged, fled, and to cause the person to be delivered to such agent when he shall appear. And if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged; And all costs or expenses incurred in the apprehending, securing and transporting such fugitive to the state or territory making such demand, shall be paid by such state or territory.

And be it further enacted, That any agent appointed as aforesaid, who shall receive the prisoner into his custody, shall be empowered to take him or her to the state or territory from whence he or she shall have fled, and if any person or persons shall be seen or be taken, or receive the fugitive from such agent, while transporting, or apprehending, or securing or person or persons so charged, shall, on conviction, be fined not exceeding five hundred dollars, and be imprisoned not exceeding one year.

And be it also enacted, That when a person shall be taken in any of the United States or in either of the territories on the north-west or south of the river Ohio under the laws thereof, shall be taken into any other of the said states or territories or taken in where such capture or person was received, his agent or attorney, to forward him or her to the state or territory from whence he or she shall have fled, and shall moreover produce the copy of an indictment found, or a warrant issued, upon a complaint of any state or territory, its officers, charging the person so demanded, with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the state or territory from whence the person so charged, fled, and to cause the person to be delivered to such agent when he shall appear. And if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged; And all costs or expenses incurred in the apprehending, securing and transporting such fugitive to the state or territory making such demand, shall be paid by such state or territory.

And be it further enacted, That any person who shall knowingly and willingly obstruct or hinder such demand, his agent or attorney, or who shall be seen or be taken, or receive the fugitive from such agent, while transporting, or apprehending, or securing or person or persons so charged, shall, on conviction, be fined not exceeding five hundred dollars, and be imprisoned not exceeding one year.

# **Civilization Act of 1819**

Congress passed this law to provide U.S. government funds to subsidize Protestant missionary educators in order to convert Native Americans to Christianity.



March 3, 1819.

CHAP. LXXXV.—*An Act making provision for the civilization of the Indian tribes adjoining the frontier settlements.*<https://federaleducationpolicy.wordpress.com/2015/09/09/indian-civilization-act-of-1819/>

The President authorized to employ capable persons to instruct Indians in agriculture, and to teach Indian children reading, writing and arithmetic, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That for the purpose of providing against the further decline and final extinction of the Indian tribes, adjoining the frontier settlements of the United States, and for introducing among them the habits and arts of civilization, the President of the United States shall be, and he is hereby authorized, in every case where he shall judge improvement in the habits and condition of such Indians practicable, and that the means of instruction can be introduced with their own consent, to employ capable persons of good moral character, to instruct them in the mode of agriculture suited to their situation; and for teaching their children in reading, writing, and arithmetic, and performing such other duties as may be enjoined, according to such in-

FIFTEENTH CONGRESS. SESS. II. CH. 86, 87. 1819.

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structions and rules as the President may give and prescribe for the regulation of their conduct, in the discharge of their duties.

SEC. 2. *And be it further enacted,* That the annual sum of ten thousand dollars be, and the same is hereby appropriated, for the purpose of carrying into effect the provisions of this act; and an account of the expenditure of the money, and proceedings in execution of the foregoing provisions, shall be laid annually before Congress.

Account of expenditure and proceedings to be laid before Congress.

APPROVED, March 3, 1819.

# **The Indian Removal Act of 1830**

Indian removal was a nineteenth century policy of the government of the United States to relocate Native American tribes living east of the Mississippi River to lands west of the river. The Indian Removal Act, part of a United States government policy known as Indian removal, was signed into law by President Andrew Jackson on May 26, 1830. A few tribes went peacefully, but many resisted the relocation policy.

# The Indian Removal Act of 1830

[https://calhoun.org/files/uploads/program\\_related/TO-Indian-Removal-Act-1830.pdf](https://calhoun.org/files/uploads/program_related/TO-Indian-Removal-Act-1830.pdf)

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TWENTY-FIRST CONGRESS. SESS. I. CH. 148. 1830.

into a suitable number of districts, for the reception of such tribes or nations of Indians as may choose to exchange the lands where they now reside, and remove there; and to cause each of said districts to be so described by natural or artificial marks, as to be easily distinguished from every other.

President to exchange, &c.

Sec. 2. *And be it further enacted*, That it shall and may be lawful for the President to exchange any or all of such districts, so to be laid off and described, with any tribe or nation of Indians now residing within the limits of any of the states or territories, and with which the United States have existing treaties, for the whole or any part or portion of the territory claimed and occupied by such tribe or nation, within the bounds of any one or more of the states or territories, where the land claimed and occupied by the Indians, is owned by the United States, or the United States are bound to the state within which it lies to extinguish the Indian claim thereto.

Title secured to Indians.

Sec. 3. *And be it further enacted*, That in the making of any such exchange or exchanges, it shall and may be lawful for the President solemnly to assure the tribe or nation with which the exchange is made, that the United States will forever secure and guaranty to them, and their heirs or successors, the country so exchanged with them; and if they prefer it, that the United States will cause a patent or grant to be made and executed to them for the same: *Provided always*, That such lands shall revert to the United States, if the Indians become extinct, or abandon the same.

Improvements to be appraised, and paid for.

Sec. 4. *And be it further enacted*, That if, upon any of the lands now occupied by the Indians, and to be exchanged for, there should be such improvements as add value to the land claimed by any individual or individuals of such tribes or nations, it shall and may be lawful for the President to cause such value to be ascertained by appraisement or otherwise, and to cause such ascertained value to be paid to the person or persons rightfully claiming such improvements. And upon the payment of such valuation, the improvements so valued and paid for, shall pass to the United States, and possession shall not afterwards be permitted to any of the same tribe.

Aid in moving, &c.

Sec. 5. *And be it further enacted*, That upon the making of any such exchange as is contemplated by this act, it shall and may be lawful for the President to cause such aid and assistance to be furnished to the emigrants as may be necessary and proper to enable them to remove to, and settle in, the country for which they may have exchanged; and also, to give them such aid and assistance as may be necessary for their support and subsistence for the first year after their removal.

Protection.

Sec. 6. *And be it further enacted*, That it shall and may be lawful for the President to cause such tribe or nation to be protected, at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever.

Sec. 7. *And be it further enacted*, That it shall and may be lawful for the President to have the same superintendence and care over any tribe or nation in the country to which they may remove, as contemplated by this act, that he is now authorized to have over them at their present places of residence: *Provided*, That nothing in this act contained shall be construed as authorizing or directing the violation of any existing treaty between the United States and any of the Indian tribes.

500,000 dollars appropriated.

Sec. 8. *And be it further enacted*, That for the purpose of giving effect to the provisions of this act, the sum of five hundred thousand dollars is hereby appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

APPROVED, May 28, 1830.

# 1831–1838

Indian tribes were forcibly relocated to the West. As part of Andrew Jackson's Indian removal policy, the Cherokee nation was forced to give up its lands east of the Mississippi River and to migrate to an area in present-day Oklahoma. The Cherokee people called this journey the "Trail of Tears," because of its devastating effects. The migrants faced hunger, disease, and exhaustion on the forced march. Over 4,000 out of 15,000 of the Cherokee died.

## 1831–1838

On December 6, 1830, in his annual message to Congress, President Andrew Jackson informed Congress on the progress of the removal, stating, “It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation.”

By the end of Jackson’s Presidency, his administration had negotiated almost 70 removal treaties. These led to the relocation of nearly 50,000 eastern Indians to the Indian Territory—what later became eastern Oklahoma. It opened up 25 million acres of eastern land to white settlement and, since the bulk of the land was in the American south, to the expansion of slavery.

Perhaps the most well-known treaty, the Treaty of New Echota, ratified in 1836, called for the removal of the Cherokees living in Georgia, North Carolina, Tennessee, and Alabama. The treaty was opposed by many members of the Cherokee Nation, and when they refused to leave, Maj. Gen. Winfield Scott was ordered to push them out. He was given 3,000 troops and the authority to raise additional state militia and volunteer troops to force removal.

Despite Scott’s order calling for the removal of Indians in a humane fashion, this did not happen. During the fall and winter of 1838-39, the Cherokees were forcibly moved from their homes to the Indian Territory—some having to walk as many as 1,000 miles over a four-month period. Approximately 4,000 of 16,000 Cherokees died along the way. This sad chapter in our history is known as the “Trail of Tears.”

By the 1840s, nearly all Indian tribes had been driven west, which is exactly what the act intended to accomplish.

# 1846:

U.S. government declares war on Mexico.

# 1848:

U.S. defeats Mexico and “purchases,” for \$15 million, over one-third of the Mexican nation. The land includes the future states of California, Texas, Utah, New Mexico, Arizona, Nevada, and parts of Colorado and Wyoming.



1848

Wash. D.C., January 1848.

(D)

In the name of Almighty God:

In testimony &c. &c. &c.

The United States of America, do hereby certify that the President of the United States has received from the Senate of the United States the following resolution, to-wit: That the President of the United States be and he is authorized to employ such force as may be necessary to enforce the laws of the United States, and to see that the laws of the United States are faithfully executed. And the President of the United States is hereby authorized to employ such force as may be necessary to enforce the laws of the United States, and to see that the laws of the United States are faithfully executed.

perce

1848

# 1848

Treaty of Guadalupe Hidalgo, officially titled the Treaty of Peace, Friendship, Limits, and Settlement, cedes 500k+ sq/miles of Mexican territory in Southwest to the U.S.. The treaty promises to protect the land, language, and culture of Mexicans living in the ceded territory. Mexicans were to be given the right to become U.S. citizens if they decided to stay.

However, Congress refuses to pass Article X, which stipulated the protection of the ancestral lands of Mexican people. Instead, Congress requires them to prove, in U.S. courts, while speaking only English with only U.S. lawyers, that they have legitimate titles to their lands.



# Fugitive Slave Act of 1850

The Fugitive Slave Law or Fugitive Slave Act was passed by the United States Congress on September 18, 1850, as part of the Compromise of 1850 between Southern slave holding interests and Northern Free-Soilers. It declared that all runaway slaves be brought back to their masters. Abolitionists nicknamed it the "Bloodhound Law" for the dogs that were used to track down runaway slaves.

In the response to the weakening of the earlier Fugitive Slave Act of 1793, the Fugitive Slave Law of 1850 made any Federal marshal or other official who did not arrest an alleged runaway slave liable to a fine of \$1,000. Law-enforcement officials everywhere now had a duty to arrest anyone suspected of being a runaway slave with no more evidence than a claimant's sworn testimony of ownership. The suspected slave could not ask for a jury trial or testify on his or her own behalf. In addition, any person aiding a runaway slave by providing food or shelter was subject to six months' imprisonment and a \$1,000 fine. Officers who captured a fugitive slave were entitled to a bonus or promotion for their work. Slave owners only needed to supply an affidavit to a Federal marshal to capture an escaped slave. Since any suspected slave was not eligible for a trial this led to many free blacks being conscripted into slavery as they had no rights in court and could not defend themselves against accusations.

(Source: [http://en.wikipedia.org/wiki/Fugitive\\_Slave\\_Act\\_of\\_1850](http://en.wikipedia.org/wiki/Fugitive_Slave_Act_of_1850))

# Second Congress of the United States:

AT THE SECOND SESSION.

Began AND HELD AT THE City of Philadelphia, IN THE State of  
Pennsylvania, ON Monday THE FIFTH OF November, ONE THOUSAND SEVEN  
HUNDRED AND NINETY TWO.

*In. let respecting fugitives from justice, and persons escaping from  
the service of their masters.*

BE IT ENACTED BY THE Senate AND House of Representatives OF  
THE United States OF America IN Congress ASSEMBLED, That whenever the executive authority  
of any state or the nation or of either of the territories north west or south of the river Ohio shall demand any person as a fugitive from justice, of the executive au-  
thority of any such state or territory in which such person shall have fled, and shall moreover produce the copy of an indictment found, or an affidavit made  
before a magistrate of any state or territory so specifying, charging the person so demanded, with having committed treason, felony or other crime, certified as authentic  
by the governor or chief magistrate of the state or territory from whence the person so charged fled, it shall be the duty of the executive authority of the said re-  
spective to which such person shall have fled, to cause him or her to be arrested and secured, and notice of the arrest to be given to the executive authority and  
magistrate, clerk, coroner, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall  
appear. And if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged: And all costs or expenses incurred  
in the apprehending, receiving and transmitting such fugitive to the state or territory making such demand, shall be paid by such state or territory.

And it is further enacted, That any person appointed or appointed as aforesaid, who shall receive the fugitive and his carrier, shall be empowered to come  
him or her to the state or territory from which he or she shall have fled, and if any person or persons shall be seen or it known, or receive the fugitive from such  
agent, while transporting, or harboring, the person or persons so fugitive, shall, on conviction, be fined not exceeding five hundred dollars, and be imprisoned not  
exceeding six months.

And it is also enacted, That when any person shall be subject to any of the United States or in either of the territories on the north west or  
south of the river Ohio under the laws thereof, shall escape out from either of the said states or territories, the person to whom such fugitive or person may be  
sent, his agent or attorney, to serve imprisoned as well as arrested said fugitive from labour, who is to take him or her before any judge of the circuit or district  
court of the United States, within or before within the state, or before any magistrate of a county, city or town corporate, wherever such person or  
person shall be made, and upon proof to the satisfaction of such judge or magistrate, either on oath testimony or affidavit taken before and sworn to  
by a magistrate of any such state or territory, that the person so seized or arrested, with, under the laws of the state or territory from which he or she pro-  
ceeds, or laborer to the person claiming him or her, it shall be the duty of such judge or magistrate to give a certificate thereof to such claimant, his  
agent or attorney, which shall be sufficient warrant for receiving the said fugitive from labour, in the state or territory from which he or she fled.

And it is further enacted, That any person who shall knowingly and wilfully obstruct or hinder such claimant, his agent or attorney in  
receiving or arresting such fugitive from labour, or shall receive such fugitive from such claimant, his agent or attorney when so arrested, provided to the

## Fugitive Slave Act of 1850

# 1850 Foreign Miners Tax

This law placed a \$20 a month tax on all miners of foreign origin in California. The 1852 version of the law placed a \$3 a month tax exclusively for Chinese laborers. Taxes for Chinese mine workers steadily increased with ever harsher bills passing the California Legislature and signed into law by then California Governor Bigler. One law passed by the State Legislature and signed by the Governor created a \$50 tax per head for Chinese entering Californian ports that was to be paid within three days. The California Supreme Court later ruled the law unconstitutional.

(Source: [http://en.wikipedia.org/wiki/John\\_Bigler#Anti-Chinese\\_laws](http://en.wikipedia.org/wiki/John_Bigler#Anti-Chinese_laws))

The Foreign Miners Tax also required Latin American miners to pay a special tax on their holdings, a tax which was not required of European American miners.

## 1850 Foreign Miners Tax

### 4. Foreign Miners Tax of 1850

State of California

*Primary Source*

*An act for the better regulation of the Mines,  
and the government of Foreign Miners.<sup>1</sup>*  
Passed April 13, 1850

*The People of the State of California, represented  
in Senate and Assembly, do enact as follows:*

1. No person who is not a native or natural born citizen of the United States, or who may not have become a citizen under the treaty of Guadalupe Hidalgo (all native California Indians excepted), shall be permitted to mine in any part of this state, without having first obtained a license so to do according to the provisions of this Act.

2. The Governor shall appoint a Collector of licenses to foreign miners for each of the mining counties, and for the county of San Francisco, who, before entering upon the duties of his office, shall take the oath required by the Constitution, and shall give his bond to the Senate with at least two good and sufficient sureties, conditioned for the faithful performance of his official duties, which bond shall be approved by the Governor, and filed in the office of the Secretary of State.

3. Each Collector of Licenses to foreign miners shall be commissioned by the Governor.

4. It shall be the duty of the Comptroller to cause to be printed or engraved a sufficient number of licenses, which shall be numbered consecutively, and shall be in form following, to wit:

Number \_\_\_\_\_ Date.) A.B., a citizen of  
age \_\_\_\_\_ years, complexion \_\_\_\_\_, is

<sup>1</sup> *Cal. Stat.* (1850), 221.

hereby licensed to work in the mines of California for the period of thirty days."

The Comptroller shall countersign each of such licenses, and shall transfer them to the Treasurer, keeping an account of the number so transferred.

5. The Treasurer shall sign and deliver to each Collector of Licenses to foreign miners so many of the licenses mentioned in the preceding section as he shall deem proper, and shall take his receipt for the same and charge him therewith. Such collector and his sureties shall be liable upon his bond for the number so furnished him, either for their return or the amount for which they may be sold; and the moneys collected, as herein provided, shall be paid into the treasury as prescribed in this Act.

6. Every person required by the first section of this Act to obtain a license to mine, shall apply to the Collector of Licenses to foreign miners, and take out a license to mine, for which he shall pay the sum of twenty dollars per month, and such foreigners may from time to time take out a new license at the same rate per month, until the Governor shall issue his proclamation announcing the passage of a law by Congress, regulating the mines of precious metals in this State.

7. If any such foreigner or foreigners shall refuse or neglect to take out such license by the second Monday of May next, it shall be the duty of the Collector of Licenses to foreign miners of the county in which such foreigner or foreigners shall be, to furnish his or their names to the Sheriff of the county, or to any Deputy Sheriff, whose duty it shall be to summon a posse of American citizens,

# Anti-Vagrancy or "Greaser" Act of 1855

The Greaser Act was an anti-Mexican law enacted in 1855 in California, thinly disguised as an anti-vagrancy statute. The law defined a vagrant as "all persons who are commonly known as 'Greasers' or the issue of Spanish and Indian blood... and who go armed and are not peaceable and quiet persons." The law was repealed a few years later.

(Source: [http://en.wikipedia.org/wiki/Greaser\\_Act](http://en.wikipedia.org/wiki/Greaser_Act))

**1855:** California requires all instruction in schools be conducted in English.



# Anti-Vagrancy or "Greaser" Act of 1855

## CHAPTER CLXXV.

### AN ACT

*To punish Vagrants, Vagabonds, and Dangerous and Suspicious Persons.*

[Approved April 30, 1855.]

*The People of the State of California, represented in Senate and Assembly, do enact as follows :*

SECTION 1. All persons except Digger Indians, who have no visible means of living, who in ten days do not seek employment, nor labor when employment is offered to them, all healthy beggars, who travel with written statements of their misfortunes, all persons who roam about from place to place without any lawful business, all lewd and dissolute persons who live in and about houses of Ill-Fame ; all common prostitutes and common drunkards may be committed to jail and sentenced to hard labor for such time as the Court, before whom they are convicted shall think proper, not exceeding ninety days.

SEC. 2. All persons who are commonly known as "Greasers" or <sup>"Disarming of  
"Greasers."</sup> the issue of Spanish and Indian blood, who may come within the provisions of the first section of this Act, and who go armed and are not known to be peaceable and quiet persons, and who can give no good account of themselves, may be disarmed by any lawful officer, and punished otherwise as provided in the foregoing section.

SEC. 3. It shall be the duty of any Justice of the Peace, on Duty of Justice, knowledge or on written complaint from any creditable person of the State, to issue his warrant to apprehend such person or persons, and upon due conviction to send such person or persons to jail, as prescribed in section first of this Act ; and on a second conviction for <sup>Second</sup> the same offense any offenders may be sentenced to the County Jail <sup>conviction.</sup> for such additional time as the Court may deem proper, not exceeding one hundred and twenty days ; and in case of a conviction for

# 1857

Dred Scott v. Sanford decision endorses southern views on race in the territories when Dred Scott, a slave who followed his owner to a free state, sued for his freedom. The Supreme Court ruled that Scott was still a slave.

1857 Dred Scott v. Sanford

<https://www.docstoc.com/documents/document/dred-sco>

No. 3.

Dred Scott. Petitioner vs.

John F. A. Sanford  
Defender of the Circuit Court of the  
United States for the District of  
Missouri. —

This cause came on to be  
heard on the transcript of the record  
from the Circuit Court of the United  
States for the District of Missouri and  
was argued by counsel — On consideration  
thereof, it is now here ordered  
and adjudged by this Court that the  
judgment of the said Circuit Court  
in this cause be and the same is  
hereby reversed for the want of juris-  
diction in that Court and that this  
cause be and the same is hereby  
remanded to the said Circuit Court  
with directions to dismiss the case  
for the want of jurisdiction in that  
Court. —

Wm. McK. Jr. Sawyer  
12<sup>th</sup> March 1857.



# The Black Codes (1860s)

These were laws passed on the state and local level in the United States, to limit the basic human rights and civil liberties of blacks. After the abolition of slavery by the Thirteenth Amendment to the United States Constitution, all former slave states adopted new Black Codes that restricted the Freedmen, who were emancipated but not yet full citizens. The Southern states provided freedmen with **limited second-class civil rights** and **no voting rights**. Southern plantation owners feared that they would lose their land. Having convinced themselves that slavery was justified, planters feared African Americans wouldn't work without coercion. The Black Codes were an attempt to control them and to ensure they did not claim social equality.

The Black Codes **denied freedmen the rights to testify against whites, to serve on juries or in state militias, or to vote**. Black Codes declared that freedmen who failed to sign yearly labor contracts **could be arrested and hired out to white landowners**. Some states **limited the occupations** open to African Americans and **barred them from acquiring land**, and others provided that judges could assign African American children to work for their former owners without the consent of their parents.

# Anti-Coolie Act 1862

The Anti-Coolie Act was enacted by the state of California and became law on April 26, 1862. Its proper title is "*An act to protect free white labor against competition with Chinese coolie labor, and to discourage the immigration of the Chinese into the State of California.*" It was designed to protect native residents of the state from competition in the labor market from Chinese immigrant manual laborers. It aimed to discourage Chinese citizens from immigrating to California by placing a per capita tax on all Chinese laborers in the state of California.

The tax took the form of a monthly work permit costing \$2.50 to be required of any worker over the age of 18 of the "Mongolian Race." The act exempted Chinese workers engaged in the production or manufacture of sugar, rice, coffee or tea. Federal legislation known by the same name was passed earlier the same year. "Coolie" was a derogatory term used for unskilled Asian workers.

(Source: [http://en.wikipedia.org/wiki/Anti-Coolie\\_Act](http://en.wikipedia.org/wiki/Anti-Coolie_Act))

# Anti-Coolie Act 1862

"The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby levied on each person, male and female, of the Mongolian race, of the age of eighteen years and upwards, residing in this State, except such as shall, under laws now existing, or which may hereafter be enacted, take out licenses to work in the mines, or to prosecute some kind of business, a monthly capitation tax of two dollars and fifty cents, which tax shall be known as the Chinese Police Tax; provided, That all Mongolians exclusively engaged in the production and manufacture of the following articles shall be exempt from the provisions of this Act, viz: sugar, rice, coffee, tea. . . .

<http://10424860.weebly.com/the-anti-coolie-act-of-1862.html>

# 1862

President Lincoln signs Homestead Act allotting 160 acres of western land — Native American land — to “anyone” who could pay \$1.25 and cultivate it for five years. European immigrants and land speculators bought 50 million acres. Congress gave another 100 million acres of Indian land free to the railroads. Since the Homestead Act applied only to U.S. citizens, Native Americans, Blacks and non-European immigrants were all excluded.



# 1863

President Lincoln issues the Emancipation Proclamation as the nation approaches the third year of bloody civil war declaring “that all persons held as slaves” within the rebellious states “are, and henceforward shall be free.”

It applied only to states that had seceded from the Union, leaving slavery untouched in loyal border states; and also exempted parts of the Confederacy that had already come under Northern control. Thus the freedom it promised depended upon Union military victory.

# Emancipation Proclamation

<https://www.docsteach.org/documents/document>

By the President of the United States of America:

## I. Proclamation.

Whereas, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a Proclamation was issued by the President of the United States, containing, among other things, the following to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to refuse such persons, or any of them, in any efforts they may make for their actual freedom."

"That the Executive will, on the first day

# 1864

The 13th Amendment to the U.S. Constitution is ratified and abolishes slavery, except when it used, “as a punishment for crime whereof the party shall have been duly convicted.” The result of this were the infamous chain gangs of Black men who could not legally defend selves working in a new form of forced labor

The U.S. army massacres 300 Cheyenne Indians in the Sand Creek Massacre.





# 1866

The Civil Rights Act (1866) was passed by Congress on 9th April 1866 over the veto of President Andrew Johnson. The act declared that all persons born in the United States were now citizens, without regard to race, color, or previous condition. As citizens they could make and enforce contracts, sue and be sued, give evidence in court, and inherit, purchase, lease, sell, hold, and convey real and personal property. Persons who denied these rights to former slaves were guilty of a misdemeanor and upon conviction faced a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both. The activities of organizations such as the Ku Klux Klan undermined the workings of this act in practice and it failed to guarantee the civil rights of African Americans.

# The Civil Rights Act (1866)

<https://www.docstoc.com/documents/document/civil-rights-act-1866>

Thirty-ninth

Congress of the United States of America ;

At the *Next* Session.

Begun and held at the City of Washington, on Monday, the  
 4<sup>th</sup> day of December, one thousand eight hundred and sixty-  
 1866

## AN ACT

of the United States of America in Congress assembled,

Nov 10. 1874.

Minerals of the United States.

Refined 10. 1866.

contract that the overland of the desert  
 be situated to present to the overland of  
 that the not existing. One not to that  
 all persons in the United States in that  
 civil rights, and through the means of  
 these organizations. Together with the re-  
 spect of the slavery of the desert and  
 that of the House of Representatives, showing  
 that the same act was passed by a vote  
 of two thirds of both Houses of Congress after  
 the same had been referred to the Senate  
 by the President with his objections, and  
 after the reconsideration of said act by  
 both Houses of Congress in accordance with  
 the Constitution

Cultivar

W. W. W. W.

# 1868

Treaty of Fort Laramie agrees that whites will not enter Black Hills without Indian permission, but when gold is found there, the terms of treaty are changed by Congress without Indian consent.



# Treaty of Fort Laramie

<https://www.docstoc.com/documents/document/fort-laramie>

Articles of a Treaty made and concluded by and between Lieutenant General William T. Sherman, General William B. Henry, General Alfred H. Terry, General L. C. Henshaw, J. B. Henderson, Abraham G. Taylor, John B. Johnston and Samuel S. Jayman, duly appointed Commissioners on the part of the United States and the different Bands of the Sioux Nation of Indians by their Chiefs and Head men whose names are hereunto subscribed, they being duly authorized to ratify the premises.

Article I From this day forward all war between the Parties to this agreement shall forever cease. The Government of the United States desires peace and likewise is ready pledged to keep it. The Indians desire peace and they now pledge their power to maintain it. If war were among the tribes or among other people, subject to the authority of the United States, we cannot any more upon the peace or property of these Indians, the United States will open ports made to the Sioux and guarantee to the Commissioner a substantial hearing in City, provided we will cause the offender to be arrested and punished according to the laws of the United States and also reimburse the injured person for the loss sustained.

If war were among the Indians, shall commit or cause or apprehension upon the peace or property of any one, whether Indian or Indian, subject to the authority of the United States and as provided, the Indians herein named, solemnly agree that they

# 1870

Texas law requires English as the language of school instruction.

Naturalization Act of 1870 revises the Naturalization Act of 1790 and the 14th Amendment so that naturalization is limited to white persons and persons of African descent, which effectively excluded Chinese and other Asian immigrants from naturalization. In this era Latinos were not even considered in the debate.

# 1871

Congress passes Indian Appropriations Act, dissolving the status of Indian tribes as nations.

# 1872–1874

U.S. government permits white traders to slaughter buffalo in order to rid the Plains of Indians. By 1874, Plain Indians — Cheyenne, Kiowa, and Comanche — have lost control of their territory.

# Indian Appropriations Act

H. R. 2615

July 1861

July 1862



Congress of the United States, 36th the 1st Session,

Begin and held at the CITY OF WASHINGTON, in the senate or houses, on Monday, the 1st day of November, 1861, before and newly,

## AN ACT

making appropriations for the current and contingent expenses of the Indian Department, and for sustaining treaty relations with several Indian tribes, for the year ending June 30th, 1862, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, and sustaining treaty stipulations with the various Indian tribes: For pay of eight superintendents of Indian affairs, namely: Five superintendents for the tribes east of the Rocky Mountains: one for Oregon; one for Washington Territory; one for the Territory of New Mexico; one for California; one for the Territory of Arizona; and one for Montana, Montana, then and one hundred dollars.

For pay of fifty-five agents of Indian affairs, namely: Three for the tribes in Oregon; four for the tribes in New Mexico; one additional for Indians in New Mexico; one for the tribes in New Mexico; one for the tribes in Utah; one for the tribes in the Territory of Utah; seven for the tribes east of the Rocky Mountains; five for the tribes east of the Rocky Mountains; six for the Indians east of the Rocky Mountains, namely: Sioux, Minnesota, Crow, Blackfoot, Shoshone, and Snake agencies; three for the tribes east of the Rocky Mountains; one for the Indians in the State of New York; one for New York, Wisconsin; three for the tribes in Washington Territory; one for the Nez Percés and neighboring tribes west of the Cascade and Shoshone; one for the tribes east of the Rocky Mountains; and one for the Indians in the Territory of New



# 1878

U.S. Supreme Court rules Chinese individuals are ineligible for naturalized citizenship.

# U.S. Government Suppression of Native-American Religion

The United States Government worked directly to convert American Indians to Christianity and assimilate them to our culture. Since many spiritual leaders were associated with uprisings and dissent, the practice of Native religions was also explicitly suppressed. This era is defined by rise of the boarding school movement, which was epitomized by the famous words of Capt. Richard H. Pratt in 1892

“A great general has said that the only good Indian is a dead one...In a sense, I agree with the sentiment, but only in this: that all the Indian there is in the race should be dead. Kill the Indian in him, and save the man....”

Even in the 20th century, "spiritual leaders ran the risk of jail sentences of up to 30 years for simply practicing their rituals". The law did not change until the passage of the American Indian Religious Freedom Act (AIRFA) of 1978.

**(1879-1900s)**

## **Residential School Systems - Indian Schools**

Tens of thousands of American Indians and Alaska Natives were forcibly taken from their communities and made to attend residential schools, which sought to re-educate them in white, Euro American values, culture, and economic ways.

# Chinese Exclusion Act of 1882

The Act excluded Chinese "skilled and unskilled laborers and Chinese employed in mining" from entering the country for ten years under penalty of imprisonment and deportation." Once the Chinese Exclusion Act was finally passed in 1882, California went further in its discrimination against the Chinese by passing various laws that were later held to be unconstitutional.

(Source: [http://en.wikipedia.org/wiki/Chinese\\_Exclusion\\_Act](http://en.wikipedia.org/wiki/Chinese_Exclusion_Act))

(renewed 1892, made permanent 1902, repealed 1943).

# Chinese Exclusion Act of 1882

Congress of the United States, *At the First Session,*

Begin and held at the CITY OF WASHINGTON, in the DISTRICT OF COLUMBIA, on Monday, the 19th day of December, eighteen hundred and eighty-two &c.

Dec 19th 1882

*That certain treaty stipulations relating to Chinese.*

**Whereas** In the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore, Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of this year next after the passage of this act, the coming of Chinese laborers to the United States, and the same wherever, excepted, and during such exclusion, it shall not be lawful for any Chinese laborer to come in, having on come after the expiration of said ninety days, to remain within the United States.

**Sec. 2.** That the master of any vessel who shall knowingly bring within the United States on such vessel, and land or permit to be landed any Chinese laborer, from any foreign port or place, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars for each and every such Chinese laborer so brought, and may be also imprisoned for a term not exceeding one year.

**Sec. 3.** That the two foregoing sections shall not apply to Chinese laborers who were in the United States on the seventeenth day of November, eighteen hundred and eighty, or who shall have come into the same before the expiration of ninety days next after the passage of this act, and who shall produce

# 1882–1990

3,011 recorded lynchings of African Americans primarily,  
but not exclusively, in the South.

# Convict Lease System (1883-1910)

The subjugation of African-Americans became common throughout the South after the war. Several laws were passed (or old ones were reinstituted) which helped keep the African-American population in its place, such as vagrancy, loitering, disturbing the peace, and Jim Crow laws, to name just a few. When these methods failed, the use of force was relied upon, especially lynching (and lynchings *increased* after the war). One result of this practice was the shift in prison populations to predominately African-American following the war.



## Convict Lease System (1883-1910) Continued

Convict leasing was a system of penal labour instituted in the American South after the emancipation of slaves by the Thirteenth Amendment to the United States Constitution in 1865. Criminologist Thorsten Sellin, in his book *Slavery and the Penal System*, says that the sole aim of convict leasing "was financial profit to the lessees who exploited the labor of the prisoners to the fullest, and to the government which sold the convicts to the lessees." Convict leasing involved leasing out prisoners to private companies that paid the state a fee. The convicts worked for the companies during the day (convicts were usually not paid) outside the prison and returned to their cells at night.

The Convict Lease System quickly became widespread and was used to supply labor in railroad, mining, farming, and logging operations. Offenders who were leased out to private enterprises often suffered neglect, abuse, and brutality. Convict leasing began in Texas by 1883 and was abolished in 1910.

(Source: [http://en.wikipedia.org/wiki/Convict\\_lease](http://en.wikipedia.org/wiki/Convict_lease))

# 1887

Dawes Act dissolves tribal lands, granting land allotments to individual families, which lead to a division of Indian territory and encroachment by Whites on Indian land. This act explicitly prohibits communal land ownership. The Supreme Court decides in favor of the Maxwell Company, a division of the Santa Fe Ring, allocating millions of acres of Mexican and Indian land in New Mexico to the Anglo corporation.



# 1888

The Scott Act (1888) was a United States law that prohibited Chinese laborers abroad or who planned future travels from returning. Its main author was William Lawrence Scott of Pennsylvania. It was introduced to expand upon the Chinese Exclusion Act passed in 1882. This left an estimated 20,000-30,000 Chinese outside the United States at the time stranded.

(Source: [http://en.wikipedia.org/wiki/Scott\\_Act\\_\(1888\)](http://en.wikipedia.org/wiki/Scott_Act_(1888)))

# Geary Act of 1892

Besides renewing the exclusion of Chinese laborers for another 10 years, also required Chinese already in the U.S. to carry a resident permit, a sort of internal passport, that served as proof that they entered the U.S. legally and had the right to remain in the country. Failure to carry the permit at all times was punishable by deportation or a year of hard labor. In addition, Chinese were not allowed to bear witness in court, and could not receive bail in habeas corpus proceedings.

(Source: [http://en.wikipedia.org/wiki/Geary\\_Act](http://en.wikipedia.org/wiki/Geary_Act))

# Plessy v. Ferguson (1896)

In *Plessy v. Ferguson*, U.S. Supreme Court ruled that "separate but equal" treatment for blacks and whites under the law was constitutional, thus institutionalizing Jim Crow laws keeping the races apart in public facilities.

Plessy legitimized the move towards segregation practices begun earlier in the South. The case of *Plessy v. Ferguson* guaranteed each state's right to implement racially separate institutions requiring them only to be "equal". The prospect of greater state influence in matters of race worried numerous advocates of civil equalities including Supreme Court justice John Harlan, who wrote in his dissent of the Plessy decision, "we shall enter upon an era of constitutional law, when the rights of freedom and American citizenship cannot receive from the nation that efficient protection which heretofore was unhesitatingly accorded to slavery and the rights of the master." Harlan's concerns about the entrenchment on the 14th Amendment would prove well founded as more states began to institute segregation based law that would become popularized as the Jim Crow system.

Plessy v. Ferguson (1896)

15,248.

Supreme Court of the United States,

No. 210, October Term, 1895.

Wm. Adolph Plessy,  
Plaintiff in Error,

J. M. Ferguson, Judge of Section A<sup>th</sup>  
Criminal District Court for the Parish  
of Orleans.

In Error to the Supreme Court of the State of  
Louisiana

This cause came on to be heard on the transcript of the  
record from the Supreme Court of the State of Louisiana,  
and was argued by counsel.

On consideration whereof, It is now here ordered and  
adjudged by this Court that the judgment of the said Supreme  
Court, in this cause, be, and the same is hereby, affirmed  
with costs.

per Mr. Justice Brown,  
May 18, 1896.

Presenting:  
Mr. Justice Starke



Jim Crow laws spread northward in response to a second wave of African American immigration and would eventually extend to segregated educational facilities, separate public institutions such as hotels and restaurants, separate beaches and other public facilities, restrictions on interracial marriage, and general restrictions over many other facets of daily life. Jim Crow voting laws quietly disenfranchised the Southern African American by requiring of prospective voters had proof of land ownership or that they could pass literacy tests at poll stations. Most African Americans were, for the most part, uneducated former slaves, often leasing land from their former owners, and immediately lost their constitutionally guaranteed right to participate in the political system.

## Example of Jim Crow Laws

### Business

"The business of America is business," said President Calvin Coolidge, but in his own era and in the present, it has been the country's business to enforce racial inequality. Buying, selling and the simplest activities of daily life - symbolized most famously by the simple water fountain - were firmly segregated by Jim Crow laws.

- **Alabama:** "Every employer of white or negro males shall provide for such white or negro males reasonably accessible and separate toilet facilities."
- **Alabama:** "It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment."
- **Georgia:** "All persons licensed to conduct the business of selling beer or wine...shall serve either white people exclusively or colored people exclusively and shall not sell to two races within the same room at any time."
- **Georgia:** "It shall be unlawful for any amateur white baseball team to play baseball on any vacant lot or baseball diamond within two blocks of a playground devoted to the Negro race, and it shall be unlawful for any amateur colored baseball team to play baseball in any vacant lot or baseball diamond within two blocks of any playground devoted to the white race."
- **Louisiana:** "All carriers must provide equal but separate seats for white and colored. No person of one race is allowed to be in the section set aside for the other race."

## Example of Jim Crow Laws

### Marriage

Marriage has always been a highly politicized issue. As one of the most fundamental institutions of society, when social change occurs, marriage changes with it. Examples of Jim Crow laws like the following were intended to freeze marriage into a perceived ideal where racial mixing was impossible:

- **California:** "All marriages of white persons with Negroes, Mongolians, members of the Malay race, or mulattoes are illegal and void."
- **Florida:** "All marriages between a white person and a negro, or between a white person and a person of negro descent to the fourth generation inclusive, are hereby forever prohibited."
- **Wyoming:** "All marriages of white persons with Negroes, Mulattos, Mongolians, or Malaya hereafter contracted in the State of Wyoming are and shall be illegal and void."

### Medicine

Jim Crow laws required separate hospitals for whites and African Americans. What's more, restrictions on education guaranteed a constant shortage of African American medical professionals. Many treatments were only available to white patients, and even blood transfusions were segregated by race, in spite of the fact that [Charles R. Drew](#), one of the pioneers of American blood banks and a groundbreaking scientist in the field, was himself African American.

- **Alabama:** "No person or corporation shall require any white female nurse to nurse in wards or rooms or hospitals, either public or private, where negro men are placed."
- **Georgia:** "The Board of Control shall see that proper and distinct apartments are arranged for said patients [in a mental hospital], so that in no cases shall Negroes and white persons be together."
- **Georgia:** "The officer in charge shall not bury, or allow to be buried, any colored persons upon ground set apart or used for the burial of white persons."

## Example of Jim Crow Laws

# Education

No single issue since the abolition of slavery has been the subject of more race-based conflict than education. Even after the 1964 Civil Rights Act banned segregated schooling, de facto segregation was maintained, both in and out of the Jim Crow South, through redistricting, redlining and covenants of parents and school administrators to maintain the racial homogeneity of white schools.

When [desegregation busing](#) threatened to integrate student bodies, parents protested, sometimes violently. Even in 2019, many cities have acknowledged "black schools" and "white schools," and people offer the same Jim Crow-era arguments against the admission of minority students.

- **New Mexico:** "Separate rooms [shall] be provided for the teaching of pupils of African descent, and [when] said rooms are provided, such pupils may not be admitted to the school rooms occupied and used by pupils of Caucasian or other descent."
- **North Carolina:** "The state librarian is directed to fit up and maintain a separate place for the use of the colored people who may come to the library for the purpose of reading books or periodicals."
- **Oklahoma:** "Any instructor who shall teach in any school, college or institution where members of the white and colored races are received and enrolled as pupils for instruction shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined."
- **Texas:** The County Board of Education "shall provide schools of two kinds; those for white children and those for colored children."

1897

In *Re Ricardo Rodriguez*, a federal district court in Texas narrowly upholds the right of Mexicans to naturalized citizenship under the Treaty of Guadalupe Hidalgo, holding Mexicans to be white for purposes of naturalization.

# 1898

The U.S. defeats Spain and acquires Puerto Rico, Guam, and the Philippines.

The U.S. annexed Hawaii.

# 1900

Congress passes the Foraker Act, establishing a colonial government in Puerto Rico and stipulating both the governor and executive council be appointed by the U.S.

# An act to prohibit the co-education of the white and colored races...

(Tennessee, 1901)

**Citation Information:** "An act to prohibit the co-education of the white and colored races..." Laws of Tennessee, 1901, Ch. 7, House Bill No. 7, p. 9.

An act to prohibit the co-education of the white and colored races and to prohibit the white and colored races from attending the same schools, academies, colleges or other places of learning in this state.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That hereafter it shall be unlawful for any school, academy, college or other place of learning to allow white and colored persons to attend the same school, academy, college or other place of learning.

SEC. 2. Be it further enacted, That it shall be unlawful for any teacher, professor or educator in the State, in any college, academy or school of learning, to allow the white and colored races to attend the same school or for any teacher or educator, or other person to instruct or teach both the white and colored races in the same class, school or college building, or in any other place or places of learning, or allow or permit the same to be done with their knowledge, consent or procurement.

SEC. 3. Be it further enacted, That any person or persons violating this Act or any of its provisions, when convicted shall be fined for each offense fifty (\$50) dollars and imprisoned not less than thirty days nor more than six months, at the discretion of the Court.

SEC. 4. Be it further enacted, That Grand juries shall have inquisitorial powers of all violations of the Act, and the same to be given in charge Circuit Court judges to the Grand Juries.

SEC. 5. Be it further enacted, That this Act shall take effect from and after the first day of September, 1901, the public welfare requiring it.

APPROVED, March 13, 1901.



1902

## Chinese Exclusion Law

Chinese immigration made permanently illegal; Chinese population sharply declines.

# The Day Law (1904)

In 1904, the "Day Law" was passed by the Kentucky legislature, prohibiting any person, group of people, or corporation from the teaching of black and white students in the same school, or from running separate branches of a school for the teaching of black and white students within twenty-five miles of each other.

After visiting the integrated Berea College, Carl Day, a legislator from Breathitt County, decided that educating blacks and whites together was wrong and began pushing the General Assembly to outlaw the practice. The resulting "Day Law" was enacted in 1904, and was immediately put to the test when the Madison County grand jury indicted the Berea trustees for violating it. The subsequent court case ultimately wound its way, in 1908, to the U.S. Supreme Court. The court upheld the Day Law, though Justice John Marshal Harlan, a Kentuckian, dissented from the majority opinion.

The Day Law remained in effect until 1954, although it was amended in 1948 to allow black nursing and medical students to be educated in medicine at all-white Louisville hospitals.

# 1907

The Gentlemen's Agreement of 1907 was an informal agreement between the United States and the Empire of Japan whereby the U.S. would not impose restriction on Japanese immigration or students, and Japan would not allow further emigration to the U.S.

Anti-Chinese sentiment motivated American entrepreneurs to recruit Japanese laborers. In 1885, the first Japanese workers arrived in the independent Kingdom of Hawaii.

As the Japanese population in California grew they were seen with suspicion of being an entering wedge by Japan. By 1905, anti-Japanese rhetoric filled the pages of the San Francisco Chronicle.

In 1905 the Japanese and Korean Exclusion League was established. The Japanese and Korean Exclusion League established four policies in 1905:

1. Extension of the Chinese Exclusion Act to include Japanese and Koreans
2. Exclusion by League members of Japanese employees and the hiring of firms that employ Japanese
3. Initiation of pressure the School Board to segregate Japanese from white children
4. Initiation of a propaganda campaign to inform Congress and the President of this "menace".

(Source: [http://en.wikipedia.org/wiki/Gentlemen's\\_Agreement\\_of\\_1907](http://en.wikipedia.org/wiki/Gentlemen's_Agreement_of_1907))

# 1908

Israel Zangwill's play, "The Melting Pot," popularized the term.

# 1909

Founding of the National Association for the Advancement of Colored People (NAACP), dedicated to ending segregation and discrimination against African Americans.

# 1915

D. W. Griffith directs Birth of a Nation, sympathetically depicting the lynching of a black man by a white mob and supporting the rise of the Klan. One of the most popular films of the silent movie era among white people, it is widely protested against by the NAACP.

# 1910

Angel Island opens, billed as the “Ellis Island of the West,” but used primarily as a detention center to control the flow of Asian immigrants (primarily Chinese) into the U.S.

# 1917

Immigration Act of 1917, also known as the Asian Barred Zone Act, imposes a literacy test and establishes an Asiatic Barred Zone restricting immigration from southern and eastern Asia and the Pacific islands, but excluding Japan and American territories of Guam and the Philippines.

Because these geographic regions were then home to many of the world's Buddhists, Hindus, Muslims, and Sikhs, these religious groups were effectively shut out of the United States.

The Jones Act makes Puerto Ricans U.S. citizens, eligible to serve in the military but not eligible to vote in national elections.



# 1918

Texas makes it a criminal offense to use any language but English in school instruction.

# 1924

**Indian Citizenship Act** — Native Americans granted U.S. citizenship.

**Immigration Act of 1924** (also known as the National Origins Act) virtually closes the door on immigration to the U.S. The Act set a percentage for immigrants entering the U.S. at 2% of the total of any nation's residents in the U.S. as reported in the 1890 census. Eventually the 2% rule is replaced by a limit of 150,000 immigrants annually and quotas determined by "national origins" as reported in the 1920 census.

The intent of the law is to restrict the entry of immigrants from Southern and Eastern Europe, while welcoming relatively large numbers of newcomers from Britain, Ireland, and Northern Europe. It also resulted in severely restricting non-Protestant immigration. Initially immigration from the other Americas was allowed, but measures were quickly developed to deny legal entry to Mexican laborers.

# Mexican Repatriation (1929-1939)

The Mexican Repatriation refers to a forced migration that took place between 1929 and 1939, when as many as one million people of Mexican descent were forced or pressured to leave the US. (The term "Repatriation," though commonly used, is inaccurate, since approximately 60% of those driven out were U.S. citizens.) The event, carried out by American authorities, took place without due process. The Immigration and Naturalization Service targeted Mexicans because of "the proximity of the Mexican border, the physical distinctiveness of mestizos, and easily identifiable barrios."

(Source: [http://en.wikipedia.org/wiki/Repatriation\\_Movement](http://en.wikipedia.org/wiki/Repatriation_Movement))

U.S. deports 600,000 Mexicans, many of whom are U.S. citizens.

# Indian Termination Policy

Indian termination was the policy of the United States from the mid-1940s to the mid-1960s. The belief was that Native Americans (Indians) would be better off if assimilated as individuals into mainstream American society. To that end, Congress proposed to end the special relationship between tribes and the federal government. The intention was to grant Native Americans all the rights and privileges of citizenship, and to reduce their dependence on a bureaucracy whose mismanagement had been documented. In practical terms, the policy terminated the US government's recognition of sovereignty of tribes, trusteeship of Indian reservations, and exclusion of Indians from state laws. Native Americans were to become subject to state and federal taxes as well as laws, from which they had previously been exempt.

During 1953-1964, 109 tribes were terminated, approximately 1,365,801 acres (5,527 km<sup>2</sup>) of trust land were removed from protected status, and 13,263 Native Americans lost tribal affiliation. Many scholars believe that the termination policy had devastating effects on tribal autonomy, culture and economic welfare. The lands belonging to the Native Americans, rich in resources, were taken over by the federal government. The termination policy had disastrous effects on the Menominee tribe (located in Wisconsin) and the Klamath tribes (located in Oregon), forcing many members of the tribes onto public assistance roll. Termination had a devastating effect on the Health Care and Education of Indians along with the economic stability of tribes. Along with the end of federal control over land came the end of many federal services which included education and health care.

By 1972 termination clearly had affected the tribes' education. There was a 75 percent dropout rate for the Menominee Tribe. This dropout rate resulted in a generation of Menominee children who had only a ninth grade education. The tribes lost federal support for their schools. The states were expected to assume the role of educating the Indian children.

Terminated tribal children struggled to stay in school and those who did could not even be supported by funds that paid for Indian children to go to school.

The Indian Health Service provided health care for many Indian tribes, but once a tribe was terminated they lost their eligibility. Many tribes no longer had any hospitals and no means to get health care. Many Indians relocated off the reservations during termination and therefore had no health care. When they relocated they were given private health care for six months, but then they had none unless they were close to a city Indian health care facility.

By the early 1960s, some federal leaders began opposing the implementation of any more termination measures, although the administration of President John F. Kennedy did oversee some of the last terminations. Some tribes resisted the policy by filing civil lawsuits. The litigation lasted until 1980, when the issue made its way to the US Supreme Court. The 1974 Boldt Decision was upheld in 1980 to recognize those treaty rights that were lost.

With problems arising in the 1960s several organizations were formed, such as the American Indian Movement (AIM) and other organizations that helped protect the rights of the Indians and their land. In 1975, Congress had implicitly rejected the termination policy by passing the Indian Self-Determination and Education Assistance Act, which increased the tribal control over reservations and helped with the funding of building schools closer to the reservations.

On January 24, 1983, President Ronald Reagan issued an American Indian policy statement that supported explicit repudiation of the termination policy.

# 1930's-1960's- Red Lining

In the 1930s, government surveyors graded neighborhoods in 239 cities, color-coding them green for “best,” blue for “still desirable,” yellow for “definitely declining” and red for “hazardous.” The “redlined” areas were the ones local lenders discounted as credit risks, in large part because of the residents’ racial and ethnic demographics. They also took into account local amenities and home prices.

Neighborhoods that were predominantly made up of African Americans, as well as Catholics, Jews and immigrants from Asia and southern Europe, were deemed undesirable. “Anyone who was not northern-European white was considered to be a detraction from the value of the area,” said Bruce Mitchell, a senior researcher at the NCRC and one of the study’s authors.

Loans in these neighborhoods were unavailable or very expensive, making it more difficult for low-income minorities to buy homes and setting the stage for the country’s persistent racial wealth gap. (White families today have nearly 10 times the net worth of black families and more than eight times that of Hispanic families, according to the Federal Reserve.)

<https://www.washingtonpost.com/news/wonk/wp/2018/03/28/redlining-was-banned-50-years-ago-its-still-hurting-minorities-today/>



# 1935

California law declares Mexican Americans are foreign-born Indians.

Filipino Repatriation Act offered free transportation to Filipinos who would return to their homeland and restricted future immigration to the U.S.

The National Labor Relations Act (the Wagner Act) legalizes the right to organize and create unions but excludes farm workers and domestic workers, most of whom are Chicano/a, Asian, and African American.

# 1942

FDR signs Executive Order 9066, ordering the evacuation and mass incarceration of 120,000 persons of Japanese ancestry living on the West Coast, most of whom are U.S. citizens or documented immigrants.

The Bracero Program invites Mexican workers to work temporarily in the U.S. during the war period where they develop the U.S. agricultural industry. Later they are sent home without the promised pay due to them.

# 1946

Court ends de jure segregation in California in Mendez v. Westminster, finding that Mexican American children were segregated based on their “Latinized” appearance and district boundaries manipulated to ensure that Mexican American children attended separate schools.

# 1952

Immigration and Nationality Act, also known as the McCarran-Walter Act, relaxes some immigration restrictions, abolishing the Asiatic Barred Zone and imposing a minimum quota for each nation of 100 persons per year.

# 1954

Termination and relocation phases of the Act, led to legal dismantling of 61 tribal nations within the U.S.

The Tydings-McDuffie Act grants independence to the Philippines and limits Filipino immigration to 50 persons per year. The act specifies that in 1946, when independence is complete, all Filipinos will be excluded under the provisions of the Oriental Exclusion Act.

# 1953

Congress passed the Refugee Relief Act, the first American immigration law to specifically mention refugees as a type of immigrant. Under this law, 2000 Palestinian refugees are admitted to the U.S. Muslim Arabs begin arriving in larger numbers than Arab Christians.

# Poll Taxes

A poll tax is a discriminatory tax that is a pre-condition of the exercise of the ability to vote. This tax emerged in some states of the United States in the late 19th century as part of the Jim Crow laws. After the ability to vote was extended to all races by the enactment of the Fifteenth Amendment, many Southern states enacted poll tax laws which often included a grandfather clause that allowed any adult male whose father or grandfather had voted in a specific year prior to the abolition of slavery to vote without paying the tax.

These laws achieved the desired effect of disfranchising African-American and Native American voters as well as poor whites who immigrated after the year specified. The 24th Amendment, ratified in 1964, abolished the use of the poll tax (or any other tax) as a pre-condition in voting in Federal elections.

(Source: [http://en.wikipedia.org/wiki/Poll\\_tax](http://en.wikipedia.org/wiki/Poll_tax))

# Operation "Wetback" of 1954

This was an operation by the United States Immigration and Naturalization Service (INS) to remove about one million undocumented immigrants from the southwestern United States, focusing on Mexican nationals. Tactics employed included going as far as systematic police sweeps of Mexican-American neighborhoods, and random stops and ID checks of "Mexican-looking" people in a region with many Native Americans and native Latinos.

(Source: [http://en.wikipedia.org/wiki/Operation\\_Wetback](http://en.wikipedia.org/wiki/Operation_Wetback))



# Literacy Tests for Voting

Adopted by a number of southern states, the literacy test was used to disenfranchise many literate blacks while allowing many illiterate whites to vote. This was accomplished by making the test inordinately difficult and allowing test-givers to choose who had to take the test and who did not. The literacy test, combined with other discriminatory requirements, effectively disenfranchised many African-Americans in the south from the 1890s until the 1960s. Southern states abandoned the literacy test only when forced to do so by federal legislation in the 1960s.

The Voting Rights Act of 1965 suspended the use of literacy tests in all states or political subdivisions in which less than 50 percent of voting-age residents were registered as of 1 November 1964 or had voted in the 1964 presidential election. In a series of cases, the Supreme Court of the United States upheld the legislation and restricted the use of literacy tests for non-English-speaking citizens.